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The reservation made by this order supersedes as to any of the above-described islands affected thereby the temporary withdrawal for classification and other purposes made by Executive Order No. 4430 of April 23, 1926, as modified.

The Executive Order of October 10, 1905, establishing the Huron Islands Reservation is hereby revoked.

This refuge shall be known as the Huron Migratory Bird Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 21, 1938.

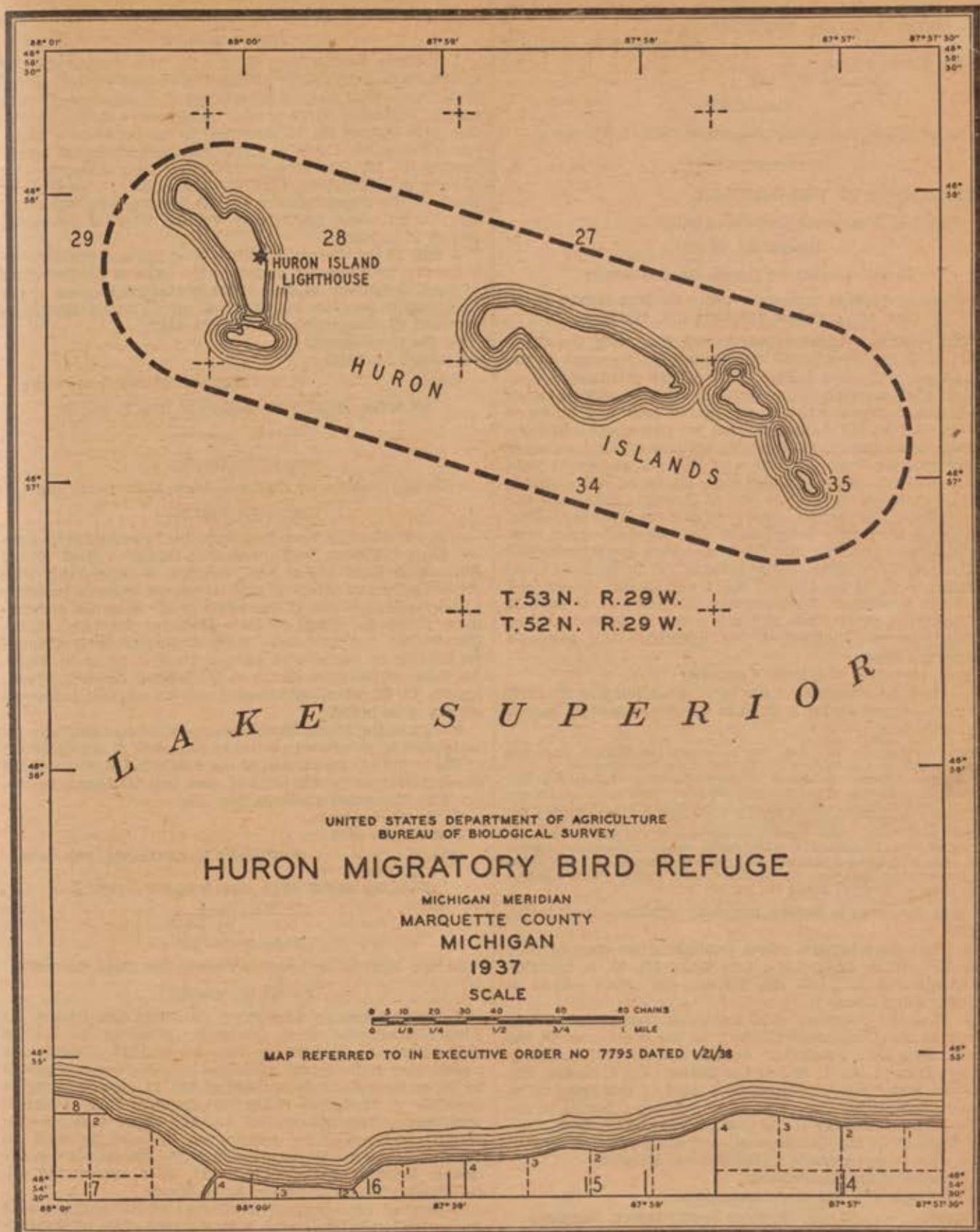
[No. 7795]

[P. R. Doc. 38-231; Filed, January 22, 1938; 12:38 p. m.]

EXECUTIVE ORDER

AMENDING EXECUTIVE ORDER OF JANUARY 17, 1873, TO PERMIT CERTAIN EMPLOYEES OF DEPARTMENT OF THE INTERIOR TO HOLD STATE, TERRITORIAL, AND MUNICIPAL OFFICES, ETC.

By virtue of and pursuant to the authority vested in me by section 1753 of the Revised Statutes of the United States (U. S. C., title 5, sec. 631), and as President of the United States, the Executive Order of January 17, 1873, as amended, prohibiting, with certain exceptions, Federal officers and employees from holding state, territorial, and municipal offices, is hereby further amended so as (1) to permit officers and employees of the Department of the Interior, upon approval of the Secretary of the Interior, to hold office under state, territorial, and municipal governments engaged in cooperative and related work with the Department of the Interior, as authorized by Federal and state laws: *Provided*, that the services to be performed by them shall pertain to such work and shall not in any manner interfere or conflict with the performance of their duties as officers or employees of the Federal Government; and (2) to permit state, territorial, and municipal officers or employees engaged in cooperative and related work with the Department of the Interior, unless prohibited by law, to accept appointment in and serve under the Department of the Interior when the Secretary of the Interior deems such employment necessary to secure a more efficient administration of the said work: *Provided*, that the appointment of any such officer or em-



FEDERAL REGISTER, Tuesday, January 25, 1938

ployee to a position subject to the civil-service laws of the Department of the Interior shall be made in accordance with civil-service laws, rules, and regulations.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 21, 1938.

[No. 7796]

[F. R. Doc. 38-232; Filed, January 22, 1938; 12:38 p. m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[Docket No. 90-FD]

IN THE MATTER OF CARTER COAL COMPANY

AN ORDER RESCINDING TEMPORARY ORDER ENTERED HEREIN JANUARY 10, 1938, ON SUPPLEMENTAL PETITION

The petitioner above named having filed with the Commission on the 23rd day of December, 1937, pursuant to the provisions of Section 4, Part II (d) of the Bituminous Coal Act of 1937, a supplemental petition alleging dissatisfaction with certain minimum prices of coals produced by petitioner produced within District No. 7, and praying for immediate and temporary relief therein set forth by preliminary or temporary order pending final disposition of said supplemental petition; and this matter having come on to be heard before the Commission on the 3rd day of January, 1938; and the Commission having on the 10th day of January, 1938, entered a temporary order¹ as therein set forth upon such supplemental petition; and the Commission having reviewed such temporary order upon petition of Bituminous Coal Producers Board for District No. 1 and having determined that the provisions of subsections (a) and (b) of Part II of Section 4 of the Act and the purposes thereof will be carried out more effectively by rescinding the aforesaid temporary order;

Now, therefore, it is hereby ordered:

1. That the temporary order entered on January 10, 1938, upon the supplemental petition in the above entitled matter and providing:

NOTE.—Prices on pea coal for movement to Market Area No. 1-A. (points in the Port of N. Y., including Port Chester, N. Y.), Group No. 5 Prices, as shown on page 23-S-1 of Supplement No. 1 to Price Schedule No. 1 for District No. 7, are reduced 30¢ per net ton f. o. b. mines. On shipments moving by tidewater through Hampton Roads, Virginia, and at the Port of New York transferred from deep water vessels to barges for movement and delivery to docks located on shallow water, code members may absorb the actual additional transfer and towage charges on such shipments actually delivered to shallow water docks. Such absorption shall in no case exceed 30¢ per net ton.

be and the same is hereby rescinded, effective January 31, 1938.

2. That the minimum prices established for coals of code members within District No. 7 by Order No. 95, as modified by Orders No. 131, 157, 163, 179 and 190² shall remain in full force and effect.

3. That the Secretary shall forthwith mail copies of this order to the Consumers' Counsel, to the Secretaries of the Bituminous Coal Producers' Boards and to code members within District No. 7; and to the Carter Coal Company and District Board No. 1; shall cause a copy of this order to be made available for inspection by all interested parties at the office of the Secretary of the Commission and at all Statistical Bureaus of the Commission; and shall cause a copy of this order to be published in the FEDERAL REGISTER.

By order of the Commission.

Dated this 21st day of January, 1938.

[SEAL] F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-237; Filed January 24, 1938; 12:33 p. m.]

[Docket No. 213-FD]

IN THE MATTER OF GUNDLACH COAL COMPANY

NOTICE OF HEARING

A petition having been filed with this Commission by Gundlach Coal Company, pursuant to Section 4-II (d) of the Bituminous Coal Act of 1937, alleging dissatisfaction with certain minimum prices of coals produced by it, in competition with District No. 11, described in the Schedule of Minimum Prices for Coals of Code Members Produced within District No. 10,³ the above entitled proceeding is assigned for hearing on January 28, 1938, at 10:00 A. M., at the Hearing Room of the Commission at the Walker Building, Washington, D. C., when opportunity will be afforded interested parties to be heard.

A copy of the aforesaid petition is on file and available for inspection by interested parties at the office of the Secretary of the Commission; at each of the Statistical Bureaus of the Commission; and at the office of each District Board, as provided by Commission's Order No. 111.⁴

By the Commission.

January 21, 1938.

[SEAL]

F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-227; Filed, January 22, 1938; 11:04 a. m.]

[Docket No. 214-FD]

IN THE MATTER OF CENTRAL STATE COLLIERIES, INC.

NOTICE OF HEARING

A petition having been filed with this Commission by Central State Collieries, Inc., pursuant to Section 4-II (d) of the Bituminous Coal Act of 1937, alleging dissatisfaction with certain minimum prices of coals produced by it, in competition with District No. 11, described in the Schedule of Minimum Prices for Coals of Code Members Produced within District No. 10,³ the above entitled proceeding is assigned for hearing on January 28, 1938, at 10:00 A. M. at the Hearing Room of the Commission at the Walker Building, Washington, D. C., when opportunity will be afforded interested parties to be heard.

A copy of the aforesaid petition is on file and available for inspection by interested parties at the office of the Secretary of the Commission; at each of the Statistical Bureaus of the Commission; and at the office of each District Board, as provided by Commission's Order No. 111.⁴

By the Commission.

January 21, 1938.

[SEAL]

F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-228; Filed, January 22, 1938; 11:04 a. m.]

[Docket No. 215-FD]

IN THE MATTER OF ILLINOIS-POCAHONTAS COAL COMPANY

NOTICE OF HEARING

A petition having been filed with this Commission by Illinois-Pocahontas Coal Company, pursuant to Section 4-II (d) of the Bituminous Coal Act of 1937, alleging dissatisfaction with certain minimum prices of coals produced by it, in competition with District No. 11, described in the schedule of Minimum Prices for Coals of Code Members Produced within District No. 10,³ the above entitled proceeding is assigned for hearing on January 28, 1938, at 10:00 A. M. at the Hearing Room of the Commission at the Walker Building, Washington, D. C., when opportunity will be afforded interested parties to be heard.

A copy of the aforesaid petition is on file and available for inspection by interested parties at the office of the Secretary of the Commission; at each of the Statistical Bureaus

¹ 3 F. R. 75 (DI).

² 2 F. R. 3032, 3311, 3387 (DI); 3 F. R. 85, 139 (DI).

³ 2 F. R. 3056, 3260, 3379 (DI); 3 F. R. 208 (DI).

⁴ 2 F. R. 3186 (DI).

of the Commission; and at the office of each District Board, as provided by Commission's Order No. 111.¹

By the Commission.

January 21, 1938.

[SEAL]

F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-229; Filed, January 22, 1938; 11:04 a. m.]

[Order No. 200]

A TEMPORARY ORDER ESTABLISHING, UNTIL FURTHER ORDER OF THE COMMISSION, A MINIMUM PRICE FOR COALS HAVING A MAXIMUM TOP SIZE OF THREE-EIGHTS INCH PRODUCED BY CODE MEMBERS WITHIN DISTRICTS NOS. 2, 3, 4 AND 6, AND MODIFYING CERTAIN TEMPORARY ORDERS OF THE COMMISSION RELATIVE THERETO

The Purglue Coal Mining Company, a Code Member within District No. 3, having filed with the Commission on the 10th day of January, 1938, pursuant to the provisions of Section 4, Part II (d) of the Bituminous Coal Act of 1937, a petition, Docket 174-FD, alleging dissatisfaction with certain Minimum Prices of Coals of Code Members produced within District No. 3, and praying for an immediate and temporary order to establish a minimum price for coals having a maximum top size of $\frac{3}{8}$ " x 0"; and it appearing to the Commission that the petitioner has made a reasonable showing of necessity for the granting of a temporary order; and the Commission having previously entered temporary orders, pursuant to hearings, in the matters of Powhatan Mining Company, Docket 135-FD, Pittsburgh Terminal Coal Corporation, Docket 137-FD, Pittsburgh Coal Company, Docket 138-FD, Union Collieries Company, Docket 141-FD, and Marten A. Reiber, Receiver for Butler Consolidated Coal Company, Docket 142-FD, temporarily establishing a price for such $\frac{3}{8}$ " x 0" coal, and it appearing that such prices should apply to all Code Members producing such sizes prior to December 16, 1937;

Now, therefore, it is hereby ordered:

1. That each of the temporary orders previously entered by the Commission in the matters of Powhatan Mining Company, Docket 135-FD, Pittsburgh Terminal Coal Corporation, Docket 137-FD, Pittsburgh Coal Company, Docket 138-FD, Union Collieries Company, Docket 141-FD, and Marten A. Reiber, Receiver for Butler Consolidated Coal Company, Docket 142-FD, be and the same are hereby modified insofar as they are inconsistent with the provisions of this order as hereinafter set forth.

2. That pending final disposition of the aforesaid petitions, or until further order of the Commission, the Schedule of Minimum Prices for Coals of Code Members Produced within Districts No. 2, 3, 4 and 6, and Supplement No. 1 to Price Schedule No. 1 for each of the respective districts, be and the same are hereby modified and revised to contain the following provision as if the same were fully set out therein:

"Code Members who, prior to December 16, 1937, produced and sold $\frac{3}{8}$ " x 0" or $\frac{1}{4}$ " x 0" slack are authorized to sell such sizes at a price not in excess of 10¢ under the minimum price established for $\frac{3}{8}$ " x 0" size for the same mine when for shipment into Market Areas 2, 4, 6, 7, 8, 9 and 10; provided, that no substitution may be made against orders for any $\frac{3}{8}$ " x 0" or $\frac{1}{4}$ " x 0" sizes."

3. That except as herein temporarily revised, the Minimum Price Schedules and supplements thereto, established for Districts Nos. 2, 3, 4 and 6, and the temporary orders previously entered in the dockets above set forth, shall remain in full force and effect until further order of the Commission.

4. That the Secretary of the Commission shall forthwith mail copies of this order to the Consumers' Counsel, the Secretaries of the Bituminous Coal Producers' Boards, and

to Code Members within Districts Nos. 2, 3, 4 and 6; and shall cause a copy of this order to be made available for inspection by all interested parties at the office of the Secretary of the Commission and at all Statistical Bureaus of the Commission; and shall cause a copy of this order to be published in the FEDERAL REGISTER.

By order of the Commission.

Dated this 21st day of January, 1938.

[SEAL]

F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-230; Filed, January 22, 1938; 11:05 a. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Animal Industry.

NOTICE

JANUARY 19, 1938.

To HARVE R. PATTERSON AND HAL R. PATTERSON,

Doing business as H. R. Patterson and Son, Miami, Okla.

Whereas, Section 301 of Title III of an Act of Congress entitled "An Act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes", approved August 15, 1921, provides in part that, when used in said Act, the term "stockyard owner" means any person engaged in the business of conducting or operating a stockyard; and Section 302 of said Act provides as follows:

(a) When used in this title the term "stockyard" means any place, establishment, or facility commonly known as stockyards, conducted or operated for compensation or profit as a public market, consisting of pens, or other inclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce. This title shall not apply to a stockyard of which the area normally available for handling livestock, exclusive of runs, alleys, or passage ways, is less than twenty thousand square feet.

(b) The Secretary shall from time to time ascertain, after such inquiry as he deems necessary, the stockyards which come within the foregoing definition, and shall give notice thereof to the stockyard owners concerned, and give public notice thereof by posting copies of such notice in the stockyard, and in such other manner as he may determine. After the giving of such notice to the stockyard owner and to the public, the stockyard shall remain subject to the provisions of this title until like notice is given by the Secretary that such stockyard no longer comes within the foregoing definition:

Notice is hereby given that after inquiry it has been ascertained by me as Secretary of Agriculture of the United States that the stockyard known as Miami Stockyards, at Miami, State of Oklahoma, comes within the foregoing definition and is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers and other persons concerned is directed to Sections 303 and 306 and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL]

M. L. WILSON,

Acting Secretary of Agriculture.

[F. R. Doc. 38-222; Filed, January 21, 1938; 2:01 p. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

RULES AND REGULATIONS FOR ADMINISTRATION OF PARTS 1, 2, AND 3 OF TITLE V OF THE SOCIAL SECURITY ACT—GRANTS TO STATES FOR MATERNAL AND CHILD WELFARE

JANUARY 20, 1938.

By virtue of and pursuant to the authority conferred by Section 1102 of the Social Security Act (Act of August 14, 1935; 49 Stat. 647; 42 U. S. C. 1302), the following rules and regulations are prescribed for the administration of parts 1, 2, and 3 of Title V of the said Act—Grants to States for

¹ 2 F. R. 3186 (D).

² 3 F. R. 43, 44 (D).

Maternal and Child Welfare—(49 Stat. 629-634; 42 U. S. C. 701, et seq.):

CHAPTER I. DEFINITIONS

Sec. 1. As used herein, unless the context otherwise requires, Paragraph *a. State*.—The term "State" includes Alaska, Hawaii, and the District of Columbia.

Par. b. Act.—The term "Act" means the Social Security Act (Act of August 14, 1935, c. 531, 49 Stat. 620, 42 U. S. C. 301).

Par. c. Secretary.—The term "Secretary" means the Secretary of the United States Department of Labor.

Par. d. Bureau.—The term "Bureau" means the Children's Bureau of the United States Department of Labor.

Par. e. Certify.—The term "certify" when used in connection with the duty imposed on the Secretary by sections 504, 514 and 521 of the Act, means that action taken by the Secretary in the form of a written statement addressed and delivered to the Secretary of the Treasury, setting forth the amount of funds payable to a State for maternal and child health services, services for crippled children, or child welfare services as contemplated by parts 1, 2, and 3 of Title V of the Act.

Par. f. Allotment.—The term "allotment" means that part of an appropriation which the Secretary of Labor determines shall be available to a State under any of the appropriate provisions of parts 1, 2, and 3 of Title V of the Act.

Par. g. Fund A.—The term "Fund A" means that part of an appropriation for maternal and child-health services required to be allotted to the States by Section 502 (a) of the Act.

Par. h. Fund B.—The term "Fund B" means that part of an appropriation for maternal and child-health services required to be allotted to the States by section 502 (b) of the Act.

Par. i. Obligation.—The term "obligation" means a debt properly incurred in accordance with the provisions of an approved State plan.

Par. j. Official Forms.—The term "official forms" means forms supplied by the Bureau to State agencies for use in the administration of parts 1, 2, and 3 of Title V of the Act. (Sec. 1102, 49 Stat. 647; 42 U. S. C. 1302.)

CHAPTER II. MATERNAL AND CHILD HEALTH SERVICES

Sec. 2. Allotments.—The Secretary shall allot funds to the States for maternal and child health services pursuant to subsections (a) and (b) of section 502 of the Act. Allotments from Fund A shall be available for payment when and to the extent that equal sums are provided (matched) by the States. Allotments from Fund B shall be made upon the basis of the financial need of each State for assistance in carrying out its approved plan for such services, as determined by the Secretary, and shall not be required to be matched by the States. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 502, 49 Stat. 629, 42 U. S. C. 702; Sec. 504, 49 Stat. 630, 42 U. S. C. 704.)

Sec. 3. Periods allotments remain available.—The unpaid balance of an allotment to a State from Fund A in the Federal Treasury at the end of the fiscal year shall be available for payment to the State until the end of the second succeeding fiscal year. The unpaid balance of an allotment to a State from Fund B in the Federal Treasury at the end of the fiscal year shall cease to be available to such State, except that obligations incurred within the fiscal year against such an allotment may be paid in the first succeeding fiscal year out of the unpaid balance of such allotment. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 502, 49 Stat. 629, 42 U. S. C. 702.)

Sec. 4. Allotments from Fund B.—The Secretary shall make an allotment to a State from Fund B only when the Allotment from Fund A and the unobligated and unpaid balances of allotments made to such State from Fund A in previous years under section 502 (a) of the Act have been requested by such State for payment and planned for expenditure by it within the limit of its ability to meet the matching requirements of the Act. The amount of funds

available to a State as an adjustment of prior expenditures, described in Sec. 11, shall be taken into consideration in determining the amount of an allotment to such State from Fund B. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 502, 49 Stat. 629, 42 U. S. C. 702.)

Sec. 5. Submission of plans.—A State, through its health agency, shall submit on official forms to the Chief of the Bureau for approval a plan for maternal and child health services. The plan shall meet the requirements of section 503 (a) of the Act, in order to make the State eligible to receive payments from funds allotted to it for such services. The plan shall include a budget, prepared on official forms, which shall show the source or sources of all funds to be expended under the plan, and the items, in detail, for which such expenditures are to be made. No plan or budget may be amended without the approval of the Chief of the Bureau. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 503, 49 Stat. 630, 42 U. S. C. 703.)

Sec. 6. Quarterly estimates.—Prior to the beginning of each quarter, the executive officer of the State health agency shall submit on official forms to the Chief of the Bureau a statement of estimated expenditures and sources of funds for activities during such quarter. Such statement shall show (1) the sum to be expended out of allotments to the State from Fund A; (2) an equal sum, except for adjustments for a prior quarter or quarters, to be expended out of funds made available by the State from funds of the State, its political subdivisions, and other sources, and (3) the sum to be expended out of allotments to the State from Fund B. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 504, 49 Stat. 630, 42 U. S. C. 704.)

Sec. 7. Private funds.—Funds obtained from private sources which are made fully available for expenditure under the approved State plan may be included in the computation of the extent to which the State health agency proposes to match its allotment from Fund A. But on and after July 1, 1938, this shall not apply to funds provided by private agencies or institutions whose facilities are to be used in carrying out the State plan. Private funds shall be placed on deposit in accordance with the State law, but if there is no State law applicable to this procedure, the funds shall be deposited with the State treasurer, the treasurer of a political subdivision, or in a private depository, in a special account to the credit of the State health agency. If the funds are deposited with the State treasurer or the treasurer of a political subdivision, the certificate of the treasurer shall be furnished showing the deposit of such funds in a special account to the credit of the State health agency. If the funds are placed in a private depository, the certificate of an officer of the private depository shall be furnished showing the deposit of such funds in a special account to the credit of the State health agency. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 504, 49 Stat. 630, 42 U. S. C. 704.)

Sec. 8. Certification for payment to States.—The Secretary shall certify for payment to a State such portion of its allotment from Fund A as shall be (1) planned for expenditure by it in its approved plan for maternal and child health services in accordance with its quarterly estimates for such expenditures, and (2) matched by funds appropriated or made available by the State or its political subdivisions and by funds obtained from other sources. The amount to be certified shall be reduced or increased, as the case may be, by the extent to which the Secretary finds it necessary to make adjustment to equalize expenditures, in a prior quarter or quarters, of funds paid to the State by the Federal Government from the allotment from Fund A, and expenditures of State and other funds used for matching purposes.

Paragraph *a.* The Secretary shall certify funds for payment to a State from its allotment from Fund B in accordance with its approved plan and quarterly estimates of expenditures. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 504, 49 Stat. 630, 42 U. S. C. 704.)

Sec. 9. Expenditures.—A State shall expend all funds paid to it by the Federal Government for expenditure under the

approved State plan and all State and other funds used for matching under the plan for the purposes specified in section 501 of the Act. State laws and regulations governing the custody and disbursement of State and other funds used for matching shall control the custody and disbursement of funds paid by the Federal Government to the State in accordance with its approved plan, subject to such amplification or modification as the Chief of the Bureau may find to be necessary under Federal laws, regulations, orders, and decisions. (Sec. 1102, 49 Stat. 642, 42 U. S. C. 1302; Sec. 501, 49 Stat. 629, 42 U. S. C. 701; Sec. 503, 49 Stat. 630, 42 U. S. C. 703.)

Sec. 10. Quarterly reports of activities.—Reports prepared by the executive officer of the State health agency shall be submitted on official forms to the Bureau at the end of each quarter. They shall contain a statement of the activities conducted by the State health agency or under its supervision in carrying out the State plan. Such other reports shall be furnished from time to time as required. Financial reports shall be made quarterly on official forms. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 503, 49 Stat. 630, 42 U. S. C. 703.)

Sec. 11. Adjustments.—The Bureau shall determine the amounts of adjustments necessary to equalize expenditures of funds paid to the State by the Federal Government from Fund A allotments and expenditures of State and other matching funds, and shall notify the State of such amounts. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 504, 49 Stat. 630, 42 U. S. C. 704.)

Sec. 12. Disposition of balances of funds paid to the State.—A State may retain funds paid to it in accordance with its approved plan not expended or obligated upon the termination of such plan. It may charge such funds as a prepayment against payments to it authorized in accordance with its approved plan for an ensuing period. In the event no new plan is submitted for approval within sixty days after the termination of its prior plan, the balance of unexpended or unobligated funds paid to the State in accordance with that plan shall be returned to the Treasury of the United States through the Bureau. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 502, 49 Stat. 629, 42 U. S. C. 702.)

CHAPTER III. SERVICES FOR CRIPPLED CHILDREN

Sec. 13. Allotments.—The Secretary shall allot funds to the States for services for crippled children pursuant to section 512 (a) of the Act. The amount of funds available to a State as an adjustment of prior expenditures, described in Sec. 21, shall be taken into consideration in determining the amount of an allotment to the State. An allotment shall be available for payment when and to the extent that an equal sum is provided (matched) by the State. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 512, 49 Stat. 631, 42 U. S. C. 712.)

Sec. 14. Period allotments remain available.—The unpaid balance of an allotment to a State in the Federal Treasury at the end of the fiscal year shall be available for payment to the State until the end of the second succeeding fiscal year. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 512, 49 Stat. 631, 42 U. S. C. 712.)

Sec. 15. Submission of plans.—A State, through its appropriate agency, shall submit on official forms to the Chief of the Bureau for approval a plan for services for crippled children. The plan shall meet the requirements of section 513 (a) of the Act in order to make the State eligible to receive payments from funds allotted to it for such services. The plan shall include a budget, prepared on official forms which shall show the source or sources of all funds to be expended under the plan, and the items, in detail, for which expenditures are to be made. No plan or budget may be amended without the approval of the Chief of the Bureau. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 513, 49 Stat. 632, 42 U. S. C. 713.)

Sec. 16. Quarterly estimates.—Prior to the beginning of each quarter, the executive officer of the official State agency

shall submit on official forms to the Chief of the Bureau a statement of estimated expenditures and sources of funds for activities during such quarter. Such statement shall show (1) the sum to be expended out of funds allotted and paid to the State by the Federal Government for expenditure under the plan, and (2) an equal sum, except for adjustments for a prior quarter or quarters, to be expended out of funds made available by the State from funds of the State, its political subdivisions, and other sources. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 514, 49 Stat. 632, 42 U. S. C. 714.)

Sec. 17. Private funds.—Funds obtained from private sources which are made fully available for expenditure under the approved State plan may be included in the computation of the extent to which the State health agency proposes to match its allotment from Fund A. But on and after July 1, 1938, this shall not apply to funds provided by private agencies or institutions whose facilities are to be used in carrying out the State plan. Private funds shall be placed on deposit in accordance with the State law, but if there is no State law applicable to this procedure, the funds shall be deposited with the State treasurer, the treasurer of a political subdivision, or in a private depository, in a special account to the credit of the official State agency. If the funds are deposited with the State treasurer or the treasurer of a political subdivision, the certificate of the treasurer shall be furnished showing the deposit of such funds in a special account to the credit of the official State agency. If the funds are placed in a private depository, the certificate of an officer of the private depository shall be furnished, showing the deposit of such funds in a special account to the credit of the official State agency. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 514, 49 Stat. 632, 42 U. S. C. 714.)

Sec. 18. Certification for payment to States.—The Secretary shall certify for payment to a State such portion of its allotment for services for crippled children as shall be (1) planned for expenditure by it in its approved plan for such services in accordance with its quarterly estimates for such expenditures, and (2) matched by funds appropriated or made available by the State or its political subdivisions and by funds obtained from other sources. The amount to be certified shall be reduced or increased, as the case may be, by the extent to which the Secretary finds it necessary to make adjustment to equalize expenditures, in a prior quarter or quarters, of funds paid to the State by the Federal Government, and expenditures of State and other funds used for matching purposes. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 514, 49 Stat. 632, 42 U. S. C. 714.)

Sec. 19. Expenditures.—A State shall expend all funds paid to it by the Federal Government for expenditure under the approved State plan and all State and other funds used for matching under the plan in behalf of children who are crippled or suffering from conditions which lead to crippling for the following purposes only: location; diagnosis; medical and surgical treatment; care in hospitals, institutions and boarding homes during periods of medical or surgical treatment or convalescence; and supervision in their own homes. But such funds shall not be expended for any of the following purposes: academic or vocational education; general preventive health services; orthodontia, except that associated with congenital malformation; or the purchase of glasses to correct defects of vision, except for children receiving treatment for crippling conditions under the State plan.

Paragraph a. State laws and regulations governing the custody and disbursement of State and other funds used for matching shall control the custody and disbursement of funds paid by the Federal Government to the State under its approved plan, subject to such amplification or modification as the Chief of the Bureau may find to be necessary under Federal laws, regulations, orders, and decisions. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 511, 49 Stat. 631, 42 U. S. C. 711; Sec. 513, 49 Stat. 632, 42 U. S. C. 713.)

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Sec. 20. Quarterly reports of activities.—Reports prepared by the executive officer of the official State agency shall be submitted on official forms to the Bureau at the end of each quarter. They shall contain a statement of the activities conducted by the official State agency or under its supervision in carrying out the State plan. Such other reports shall be furnished from time to time as required. Financial reports shall be made quarterly on official forms. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 513, 49 Stat. 632, 42 U. S. C. 713.)

Sec. 21. Adjustments.—The Bureau shall determine the amounts of adjustments necessary to equalize expenditures of funds paid to the State by the Federal Government and expenditures of State and other matching funds, and the Bureau shall notify the State of the amounts of such adjustments. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 512, 49 Stat. 631, 42 U. S. C. 712.)

Sec. 22. Disposition of balances of funds paid to the State.—A State may retain funds paid to it in accordance with its approved plan not expended or obligated upon the termination of such plan. It may charge such funds as a prepayment against payments to it authorized in accordance with its approved plan for an ensuing period. In the event no new plan is submitted for approval within sixty days after the termination of its prior plan, the balance of unexpended or unobligated funds paid to the State in accordance with that plan shall be returned to the Treasury of the United States through the Bureau. (Sec. 1102, 49 Stat. 642, 42 U. S. C. 1302; Sec. 512, 49 Stat. 631, 42 U. S. C. 712.)

CHAPTER IV. CHILD-WELFARE SERVICES

Sec. 23. Allotments and submission of plans.—The Secretary shall allot funds for child welfare services pursuant to section 521 (a) of the Act to States which have approved plans developed jointly by State public welfare agencies and the Bureau. Plans shall include budgets, prepared on official forms, which shall show the source or sources of all funds to be expended under the plan and the items in detail for which expenditures are to be made. No plan or budget may be amended without the approval of the Chief of the Bureau. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 521, 49 Stat. 633, 42 U. S. C. 721.)

Sec. 24. Period allotments remain available.—The unpaid balance of an allotment to a State in the Federal Treasury at the end of the fiscal year shall be available for payment to the State until the end of the second succeeding fiscal year. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 521, 49 Stat. 633, 42 U. S. C. 721.)

Sec. 25. Quarterly estimates.—Prior to the beginning of each quarter, the executive officer of the State public-welfare agency shall submit on official forms to the Chief of the Children's Bureau an estimate of funds to be expended out of the funds allotted and paid to the State by the Federal Government for activities during such quarter. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 521, 49 Stat. 633, 42 U. S. C. 721.)

Sec. 26. Certification for payment to States.—The Secretary shall certify funds for payment to a State from its allotment for child welfare services in accordance with its approved plan and quarterly estimates of expenditures. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 521, 49 Stat. 633, 42 U. S. C. 721.)

Sec. 27. Expenditures.—A State shall expend funds paid to it by the Federal Government for the purpose of establishing, extending, and strengthening, especially in predominantly rural areas, services for the protection and care of homeless, dependent, and neglected children, and children in danger of becoming delinquent. Such funds shall be used for payment of part of the cost of district, county or other local child welfare services in areas predominantly rural and for developing State services for the encouragement and assistance of adequate methods of community child welfare organization in areas predominantly rural and other areas

of special need. A State shall not expend such funds to pay for the cost of care of children in boarding homes or in institutions which provide care for children, other than purely emergency care under conditions specified in the State plan.

Paragraph a. State laws and regulations governing the custody and disbursement of State and other funds brought into the plan shall control the custody and disbursement of funds paid by the Federal Government to the State under its approved plan, subject to such amplification or modification as the Chief of the Bureau may find to be necessary under Federal laws, regulations, orders, and decisions. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 521, 49 Stat. 633, 42 U. S. C. 721.)

Sec. 28. Reports of activities.—Reports prepared by the executive officer of the State public welfare agency shall be submitted to the Bureau on official forms. They shall set forth the activities of the agency for such times and periods as may be prescribed by the Chief of the Bureau. Such reports shall show activities conducted by the State agency or under its supervision in carrying out the State plan. Financial reports shall be made quarterly on official forms. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 521, 49 Stat. 633, 42 U. S. C. 721.)

Sec. 29. Disposition of balances of funds paid to the State.—A State may retain funds paid to it in accordance with its approved plan not expended or obligated upon the termination of such plan. It may charge such funds as a prepayment against payments to it authorized in accordance with its approved plan for an ensuing period. In the event no new plan is submitted for approval within sixty days after the termination of its prior plan, the balance of unexpended and unobligated funds paid to the State in accordance with that plan shall be returned to the Treasury of the United States through the Bureau. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 521, 49 Stat. 633, 42 U. S. C. 721.)

[SEAL]

FRANCES PERKINS, Secretary.

Approval recommended.

KATHARINE F. LENROOT,

Chief of the Children's Bureau.

[P. R. Doc. 38-233; Filed, January 24, 1938; 9:24 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Order No. 31]

AMENDMENT TO ORDER NO. 7-C

The Commission, at a meeting held on January 11, 1938 amended Order No. 7-C as follows:

The Commission having under consideration Telephone Order No. 7-C, promulgating the "Uniform System of Accounts for Telephone Companies, Issue of June 19, 1935, Effective January 1, 1936", as amended by Order No. 7-D, effective January 1, 1937, and instruction 26, "Telephone plant continuing property record required", of said system of accounts:

It is ordered, That Telephone Division Order No. 7-C be amended further so that the said Instruction 26, Paragraph A, in the second sentence thereof, shall read as follows:

"The record shall be completed not later than June 30, 1939, with respect to telephone plant as at December 31, 1936, and with respect to the changes effected therein between the dates of January 1, 1937, and December 31, 1938, both inclusive."

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[P. R. Doc. 38-225; Filed, January 22, 1938; 9:52 a. m.]

[Docket No. 4833]

IN THE MATTER OF THE APPLICATION OF PHILADELPHIA & NORFOLK STEAMSHIP COMPANY, PHILADELPHIA, PENNSYLVANIA FOR EXEMPTION UNDER SECTION 352 (B) (2) OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED

Telegraph Matter

The Commission on January 6, 1938, adopted the following order:

Upon consideration of the petition of the applicant in the above-entitled matter filed January 5, 1938, and of evidence with regard to the deepening of the Chesapeake and Delaware Canal submitted therewith,

It is hereby ordered. That the exemption authorized in the Order of the Commission of November 11, 1937,¹ in the above-entitled matter be and it is hereby extended for a further temporary period expiring March 6, 1938, upon the same terms and conditions and subject to the same limitations as contained in the prior Order of the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 38-226; Filed, January 22, 1938; 9:52 a. m.]

INTERSTATE COMMERCE COMMISSION.

At a Session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 10th day of November, A. D. 1937.

ORDER RELATIVE TO MONTHLY REPORTS OF REVENUES AND EXPENSES, CLASS I STEAM RAILWAYS

The subject of monthly reports of revenues and expenses being under consideration, the following order was entered:

It is ordered. That—

1. The order of this Commission dated October 23, 1936,² in the matter of monthly reports of revenues and expenses of Class I steam railways be, and hereby is, annulled, effective January 1, 1938.

2. Each and every Class I steam railway, excluding Class I switching and terminal companies, subject to the provisions of the Interstate Commerce Act shall make under oath monthly reports of revenues and expenses in accordance with the form of report which is attached hereto and made a part of this order.³

It is further ordered. That this order shall become effective as of January 1, 1938.

By the Commission, division 4.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 38-235; Filed, January 24, 1938; 12:13 p. m.]

At a Session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 10th day of November, A. D. 1937.

ORDER RELATIVE TO PERIODICAL REPORTS OF OPERATING STATISTICS, CLASS I STEAM RAILWAYS

The subject of periodical reports of operating statistics from carriers by steam railway of Class I being under consideration:

It is ordered. That—

1. The orders of this Commission, dated December 12, 1936, and April 13, 1937,⁴ amending the order of November 25, 1935, dealing with railway operating statistics be, and they hereby are, annulled, effective January 1, 1938.

¹ 2 F. R. 2942 (DI).² 2 F. R. 177 (DI).³ Filed as a part of the original document with the Division of the Federal Register, the National Archives; copies available upon application to the Interstate Commerce Commission.⁴ 2 F. R. 259, 1065 (DI).

No. 17—2

2. The order of November 25, 1935, be, and hereby is, amended by substituting the forms of reports designated OS-A, OS-B, OS-C, OS-D, OS-E, OS-F, and instructions thereon, which forms are hereto attached and made a part of this order.⁵

It is further ordered. That this order shall become effective as of January 1, 1938.

By the Commission, division 4.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 38-236; Filed, January 24, 1938; 12:13 p. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 182]

ALLOCATION OF FUNDS FOR LOANS

JANUARY 19, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Arkansas 8010W Pulaski	\$9,000
Georgia 8022B Colquitt	75,000
Georgia 8022W Colquitt	10,000
Georgia 8037W Douglas	5,000
Georgia 8067W Bacon	25,000
Iowa 8031W Grundy	15,000
Iowa 8034B Jones	80,000
Michigan 8026W Ingham	8,000
Michigan 8033G Charlevoix	55,000
Michigan 8038G Cass	100,000
Michigan 8038B Cass	92,000
Michigan 8038W Cass	15,000
Michigan 8039 Van Buren	165,000
Michigan 8039W Van Buren	10,000
Michigan 8040 Allegan	165,000
Michigan 8040W Allegan	10,000
Minnesota 8065W Dakota	12,000
Nebraska 8054W Cuming	10,000
Ohio 8001B Miami	37,000
Wisconsin 8031W Columbia	15,000

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38-234; Filed, January 24, 1938; 9:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES ACT OF 1933—SECURITIES EXCHANGE ACT OF 1934

AMENDMENT NO. 1 OF FORM 1-MD

The Securities and Exchange Commission, finding—

(1) that the requirements of Form 1-MD, general form for annual reports pursuant to Section 15 (d) of the Securities Exchange Act of 1934, as more specifically defined in the Instruction Book for Form 1-MD, as hereby amended, are necessary and appropriate for the proper protection of investors and to insure fair dealing in such securities as are registered under the Securities Act of 1933 and as to which Form 1-MD is to be used; and,

(2) that the information called for by such Form and the exhibits specified in such Instruction Book, as hereby amended, are required to keep reasonably current the information and documents filed pursuant to Section 7 of the Securities Act of 1933, and are such as may be required pursuant to Section 13 of the Securities Exchange Act of 1934 in respect of similar securities listed and registered on national securities exchanges,

pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 13 (d) and 23

⁵ Filed as a part of the original document with the Division of the Federal Register, the National Archives; copies available upon application to the Interstate Commerce Commission.

(a) thereof, hereby amends the Instruction Book for Form 1-MD as follows:

The following new paragraph 17 is added after paragraph 16 of the "General Rules as to Preparation and Contents of Annual Report":

17. Special instruction as to companies reporting under Section 20 of the Interstate Commerce Act and carriers reporting under Section 219 of the Communications Act of 1934.—Notwithstanding the requirements of any item or instruction in this form, annual reports on this form by any company making annual reports under Section 20 of the Interstate Commerce Act, as amended, or by any carrier making annual reports under Section 219 of the Communications Act of 1934 may contain, in lieu of the information and exhibits required by the items and instructions of this form, the information and exhibits required by Form 12-K or 12A-K, whichever would be appropriate if the securities were registered on a national securities exchange. However, such reports shall be filed under cover of the facing sheet of Form 1-MD, shall be signed in the manner provided in Form 1-MD, and shall be filed in all respects as annual reports under Section 15 (d) of the Act.

The foregoing action of the Commission shall be effective immediately upon publication.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-238; Filed, January 24, 1938; 12:54 p. m.]

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT NO. 3 TO FORM 12-K

The Securities and Exchange Commission, finding—

(1) that the requirements of Form 12-K, as more specifically defined in the Instruction Book for Form 12-K as hereby amended, are necessary and appropriate for the proper protection of investors and to insure fair dealing in such securities as are registered on national securities exchanges and as to which Form 12-K is to be used; and,

(2) that the information called for by such Form and the exhibits specified in such Instruction Book, as hereby amended, are required to keep reasonably current the information and documents filed pursuant to Section 12 of the Securities Exchange Act of 1934,

pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 13 and 23 (a) thereof, hereby amends the Instruction Book for Form 12-K as follows:

Paragraph 3 of the *Instructions as to Exhibits* is amended by deleting the number "330;" from the list of required schedules of Form A of the Interstate Commerce Commission.

AMENDMENT NO. 3 TO FORM 12A-K

The Securities and Exchange Commission, finding—

(1) that the requirements of Form 12A-K, as more specifically defined in the Instruction Book for Form 12A-K as hereby amended, are necessary and appropriate for the proper protection of investors and to insure fair dealing in such securities as are registered on national securities exchanges and as to which Form 12A-K is to be used; and,

(2) that the information called for by such Form and the exhibits specified in such Instruction Book, as hereby amended, are required to keep reasonably current the information and documents filed pursuant to Section 12 of the Securities Exchange Act of 1934,

pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 13 and 23 (a) thereof, hereby amends the Instruction Book for Form 12A-K as follows:

Paragraph 3 of the *Instructions as to Exhibits* is amended by deleting the number "330;" from the list of required schedules of Form A of the Interstate Commerce Commission.

The foregoing action of the Commission shall be effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-239; Filed, January 24, 1938; 12:57 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of January, A. D. 1938.

IN THE MATTER OF PENN WESTERN GAS & ELECTRIC COMPANY

[File Nos. 43-99, 51-9]

NOTICE OF AND ORDER FOR HEARING

A joint declaration pursuant to sections 7 and 12 (c) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by Penn Western Gas & Electric Company, a registered holding company, for an order approving the reduction of the par value of the 101,904 shares of common stock presently outstanding from \$12.00 to \$5.00 per share, and for an order approving the declaration and payment of a dividend to common stockholders out of capital or unearned surplus, such dividend to consist of a distribution in kind of certain shares of stock now owned by the declarant.

It is ordered, That a hearing on such matter be held on February 8, 1938, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW, Washington, D. C. On such day the hearing-room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to continue or postpone said hearing from time to time or to a date thereafter to be fixed by such presiding officer.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before February 3, 1938.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-240; Filed, January 24, 1938; 12:55 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-162]

IN THE MATTER OF THE CUDAHY PACKING COMPANY FIRST MORTGAGE SINKING FUND BONDS, SERIES "A", 3 1/4% DUE SEPT. 1, 1955

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to

the First Mortgage Sinking Fund Bonds, Series "A", 3½% due September 1, 1955, of The Cudahy Packing Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First Mortgage Sinking Fund Bonds, Series "A", 3½% due September 1, 1955, of The Cudahy Packing Company be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-241; Filed, January 24, 1938; 12:55 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-163]

IN THE MATTER OF CUMBERLAND COUNTY POWER & LIGHT COMPANY FIRST MORTGAGE BONDS 3½% SERIES DUE OCTOBER 1, 1966

ORDER DENYING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1 for permission to extend unlisted trading privileges to the First Mortgage Bonds 3½% Series due October 1, 1966, of Cumberland County Power & Light Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First Mortgage Bonds 3½% Series due October 1, 1966, of Cumberland County Power & Light Company be and the same is hereby denied.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-242; Filed, January 24, 1938; 12:55 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-164]

IN THE MATTER OF NEW ENGLAND POWER COMPANY FIRST MORTGAGE BONDS SERIES "A" 3¼% DUE NOVEMBER 15, 1961

ORDER GRANTING APPLICATIONS FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the First Mortgage Bonds Series "A" 3¼% due November 15, 1961, of New England Power Company, and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First Mortgage Bonds Series "A" 3¼% due November 15, 1961, of New England Power Company be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-243; Filed, January 24, 1938; 12:56 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-167]

IN THE MATTER OF THE PEOPLES GAS LIGHT & COKE COMPANY FIRST & REFUNDING MORTGAGE 4% BONDS SERIES "D" DUE JUNE 1, 1961

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the First & Refunding Mortgage 4% Bonds Series "D" due June 1, 1961, of The Peoples Gas Light & Coke Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First & Refunding Mortgage 4% Bonds Series "D" due June 1, 1961, of The Peoples Gas Light & Coke Company be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-244; Filed January 24, 1938; 12:56 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-171]

IN THE MATTER OF ATLANTIC CITY ELECTRIC COMPANY GENERAL MORTGAGE BONDS, 3¼% SERIES, DUE JANUARY 15, 1964

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the General Mortgage Bonds, 3¼% Series, due January 15, 1964, of Atlantic City Electric Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities

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Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the General Mortgage Bonds, 3½% Series, due January 15, 1964, of Atlantic City Electric Company be and the same is hereby granted.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-245; Filed, January 24, 1938; 12:56 p.m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-172]

IN THE MATTER OF CALIFORNIA WATER SERVICE COMPANY FIRST MORTGAGE 4% BONDS, SERIES "B", DUE MAY 1, 1961

ORDER DENYING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (2) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the First Mortgage 4% Bonds, Series "B", due May 1, 1961, of California Water Service Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (2) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First Mortgage 4% Bonds, Series "B", due May 1, 1961, of California Water Service Company be and the same is hereby denied.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-246; Filed, January 24, 1938; 12:57 p.m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-173]

IN THE MATTER OF FLORIDA POWER CORPORATION FIRST MORTGAGE 4% BONDS SERIES "C" DUE DECEMBER 1, 1966

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the First Mortgage 4% Bonds Series "C" due December 1, 1966, of Florida Power Corporation; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First Mortgage 4% Bonds Series "C" due December 1, 1966, of Florida Power Corporation be and the same is hereby granted.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-247; Filed, January 24, 1938; 12:57 p.m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-174]

IN THE MATTER OF METROPOLITAN EDISON COMPANY FIRST MORTGAGE BONDS SERIES "G" 4% DUE MAY 1, 1965

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the First Mortgage Bonds Series "G" 4% due May 1, 1965, of Metropolitan Edison Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First Mortgage Bonds Series "G" 4% due May 1, 1965, of Metropolitan Edison Company be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-248; Filed, January 24, 1938; 12:57 p.m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-175]

IN THE MATTER OF MISSOURI POWER & LIGHT COMPANY FIRST MORTGAGE BONDS 3½% SERIES, DUE DECEMBER 1, 1966

ORDER DENYING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the First Mortgage Bonds 3½% Series due December 1, 1966, of Missouri Power & Light Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First Mortgage Bonds 3½% Series due December 1, 1966, of Missouri Power & Light Company be and the same is hereby denied.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-249; Filed, January 24, 1938; 12:57 p.m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-176]

IN THE MATTER OF PACIFIC LIGHTING CORPORATION 4½% SINKING FUND DEBENTURES DUE OCTOBER 1, 1945

ORDER DENYING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the 4½% Sinking Fund Debentures due October 1, 1945, of Pacific Lighting Corporation; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the 4½% Sinking Fund Debentures due October 1, 1945, of Pacific Lighting Corporation be and the same is hereby denied.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary,

[F. R. Doc. 38-250; Filed, January 24, 1938; 12:58 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-182]

IN THE MATTER OF ASSOCIATED GAS & ELECTRIC CORPORATION 4½% DEBENTURES DUE JUNE 1, 1973

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the 4½% Debentures due June 1, 1973, of Associated Gas & Electric Corporation; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the 4½% Debentures due June 1, 1973, of Associated Gas & Electric Corporation be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-251; Filed January 24, 1938; 12:58 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-183]

IN THE MATTER OF ASSOCIATED GAS & ELECTRIC CORPORATION 5% DEBENTURES DUE JUNE 1, 1973

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Se-

curities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the 5% Debentures due June 1, 1973, of Associated Gas & Electric Corporation; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the 5% Debentures due June 1, 1973, of Associated Gas & Electric Corporation be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-252; Filed, January 24, 1938; 12:58 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-184]

IN THE MATTER OF ASSOCIATED GAS & ELECTRIC CORPORATION 3½% DEBENTURES DUE MARCH 15, 1978

ORDER DENYING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the 3½% Debentures due March 15, 1978, of Associated Gas & Electric Corporation; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the 3½% Debentures due March 15, 1978, of Associated Gas & Electric Corporation be and the same is hereby denied.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-253; Filed, January 24, 1938; 12:58 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-185]

IN THE MATTER OF ASSOCIATED GAS & ELECTRIC CORPORATION 4½% DEBENTURES DUE FEBRUARY 1, 1978

ORDER DENYING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the 4½% Debentures due February 1, 1978, of Associated Gas & Electric Corporation; and

FEDERAL REGISTER, Tuesday, January 25, 1938

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein:

It is ordered. That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the 4½% Debentures due February 1, 1978, of Associated Gas & Electric Corporation be and the same is hereby denied.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-254; Filed, January 24, 1938; 12:58 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-186]

IN THE MATTER OF CITIES SERVICE COMPANY 5% GOLD DEBENTURES DUE APRIL 1, 1958

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the 5% Gold Debentures due April 1, 1958, of Cities Service Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered. That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the 5% Gold Debentures due April 1, 1958, of Cities Service Company be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-255; Filed January 24, 1938; 12:57 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-187]

IN THE MATTER OF CITIES SERVICE COMPANY 5% GOLD DEBENTURES DUE NOVEMBER 1, 1963

ORDER DENYING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the 5% Gold Debentures due November 1, 1963, of Cities Service Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered. That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the 5% Gold Debentures due

November 1, 1963, of Cities Service Company be and the same is hereby denied.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-256; Filed, January 24, 1938; 12:59 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-188]

IN THE MATTER OF CITIES SERVICE COMPANY 5% GOLD DEBENTURES DUE MARCH 1, 1969

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the 5% Gold Debentures due March 1, 1969, of Cities Service Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered. That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the 5% Gold Debentures due March 1, 1969, of Cities Service Company be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-257; Filed, January 24, 1938; 12:59 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-189]

IN THE MATTER OF HOUSTON LIGHTING & POWER COMPANY FIRST MORTGAGE BONDS, 3½% SERIES, DUE DECEMBER 1, 1966

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for permission to extend unlisted trading privileges to the First Mortgage Bonds, 3½% Series, due December 1, 1966, of Houston Lighting & Power Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered. That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First Mortgage Bonds, 3½% Series, due December 1, 1966, of Houston Lighting & Power Company be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-258; Filed, January 24, 1938; 12:59 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of January, 1938.

[File No. 7-190]

IN THE MATTER OF NORTHERN STATES POWER COMPANY (MINN.)
FIRST AND REFUNDING MORTGAGE BONDS, 3½% SERIES DUE
FEBRUARY 1, 1967

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND
UNLISTED TRADING PRIVILEGES

The New York Curb Exchange having made application to the Commission, pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, and Rule JF1, for

permission to extend unlisted trading privileges to the First and Refunding Mortgage Bonds, 3½% Series due February 1, 1967, of Northern States Power Company; and

A hearing having been held in this matter after appropriate notice, and the Commission having this day made and filed its findings herein;

It is ordered, That the application of the New York Curb Exchange pursuant to Section 12 (f) (3) of the Securities Exchange Act of 1934, as amended, for permission to extend unlisted trading privileges to the First and Refunding Mortgage Bonds, 3½% Series due February 1, 1967, of Northern States Power Company be and the same is hereby granted.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-259; Filed, January 24, 1938; 12:59 p. m.]

